

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO**

**WILLIAM BURKE**

Plaintiff,

v.

**JAMES ALEX FIELDS ET AL.,**

Defendants.

: Case No. 2:19-CV-2006

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: (Judge WATSON)

: (Mag. Judge DEEVERS)

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**ANSWER OF DEFENDANT  
TRADITIONALIST WORKER'S PARTY  
TO PLAINTIFF'S SECOND AMENDED  
COMPLAINT**

Defendant Traditionalist Worker's Party ("TWP") states it's Answer the Plaintiff's second amended Complaint as follows. TWP enters a general denial of all factual allegations in plaintiff's second amended complaint except as stated herein. TWP answers as and for itself and not for any other individual or group whether denominated "conspirators" or in any other way. Where defendant has denied allegations that includes denial for want of sufficient information to admit or deny.

1. TWP admits it traveled to Charlottesville, VA over the weekend of August 12, 2017 for the "Unite the Right" ("UTR") rally, admits hundreds of others also did so, denies it is a neo-Nazi or white supremacist organization, admits it is a white nationalist organization, denies, due to lack of knowledge or information sufficient to form a belief as to whether or not "several" residents of Ohio traveled to Charlottesville, Virginia on or about August 12, 2017, denies it intended to intimidate and terrorize "counter-protestors" or commit any unlawful acts of violence, admits it intended to use UTR to publicize its political message, and

denies any and all other factual allegations in paragraph 1 of the plaintiff's second amended complaint.

2. TWP admits the Plaintiff in this action has identified himself as William Burke and that "Bill" is a common nickname for William. TWP denies due to lack of knowledge or information sufficient to form a belief whether or not a) Plaintiff is a longtime resident of Athens, Ohio or his reputation therein; b) whether or not plaintiff is a white man, and c) what plaintiff's political opinions are or are not. TWP denies it engaged any conspiracy or agreement of any kind that resulted in the death of Heather Heyer, or any compensable injury whatsoever to this plaintiff and denies any and all other factual allegations in paragraph 2 of the plaintiff's second amended complaint.
3. TWP admits it is an organization, admits it is white nationalist, admits it brought signs, shields, and helmets to Charlottesville VA on August 12, 2017 and denies any and all other factual allegations in paragraph 3 of the plaintiff's second amended complaint.
4. TWP admits it travelled to Charlottesville VA on or about August 12, 2017, that it lawfully supported "financially or otherwise" its own travel, that it lawfully planned and coordinated its own trip to Charlottesville on the internet and in person, and denies any and all other factual allegations in paragraph 4 of the plaintiff's second amended complaint.
5. TWP denies the factual allegations in paragraph 5 of the plaintiff's second amended complaint.

6. TWP denies the factual allegations in paragraph 6 of the plaintiff's second amended complaint.
7. TWP denies all factual allegations in paragraph 7 of the plaintiff's second amended complaint.
8. TWP denies all factual allegations in paragraph 8 of the plaintiff's second amended complaint.
9. TWP denies all factual allegations in paragraph 9 of the plaintiff's second amended complaint.
10. TWP denies all factual allegations in paragraph 10 of the plaintiff's second amended complaint except it admits that, at relevant times, some members were residents of the State of Ohio.
11. TWP denies all factual allegations in paragraph 11 of the plaintiff's second amended complaint.
12. TWP denies all factual allegations in paragraph 12 of the plaintiff's second amended complaint except it admits James Fields has been convicted of a violent felony.
13. TWP denies all factual allegations in paragraph 13 of the plaintiff's second amended complaint.
14. TWP admits this Court has jurisdiction, but does not concede the issue of venue, and denies all other factual allegations in paragraph 14 of the plaintiff's second amended complaint.
15. TWP states that the legal cases cited in paragraph 15 of the plaintiff's second amended complaint speak for themselves.

16. TWP denies all factual allegations in paragraph 16 of the plaintiff's second amended complaint except it specifically does not concede venue is proper in this Court.
17. TWP admits William ("Bill") Burke is the party plaintiff, admits that James Fields has been criminally convicted of killing Heather Heyer, and denies all other factual allegations in paragraph 17 of the plaintiff's second amended complaint.
18. TWP denies all factual allegations in paragraph 18 of the plaintiff's second amended complaint.
19. TWP denies all factual allegations in paragraph 19 of the plaintiff's second amended complaint.
20. TWP denies all factual allegations in paragraph 20 of the plaintiff's second amended complaint.
21. TWP denies all factual allegations in paragraph 21 of the plaintiff's second amended complaint.
22. TWP denies all factual allegations in paragraph 22 of the plaintiff's second amended complaint.
23. TWP denies all factual allegations in paragraph 23 of the plaintiff's second amended complaint.
24. TWP admits it is an organization, has promoted white nationalism, ran a candidate for public office in New Carlisle, Ohio, had numerous active "chapters" and a few hundred members at relevant times, that an authorized agent of TWP publicly stated "Trust nobody who fails to name the Jew" etc., that it lawfully helped

organize and promote UTR, and denies all other factual allegations in paragraph 24 of the plaintiff's second amended complaint.

25. TWP admits Richard Spencer is or was affiliated with the National Policy Institute, that Spencer requested to speak at the listed Ohio universities, that Spencer sued said universities, and denies all other factual allegations in paragraph 25 of the plaintiff's second amended complaint.

26. TWP admits David Duke has some historical association with the Ku Klux Klan, admits Duke attended some sort of meeting on August 11, 2017, and denies all other factual allegations in paragraph 26 of the plaintiff's second amended complaint.

27. TWP denies all factual allegations in paragraph 27 of the plaintiff's second amended complaint.

28. TWP denies all factual allegations in paragraph 28 of the plaintiff's second amended complaint.

29. TWP denies all factual allegations in paragraph 29 of the plaintiff's second amended complaint.

30. TWP denies all factual allegations in paragraph 30 of the plaintiff's second amended complaint.

31. TWP denies all factual allegations in paragraph 31 of the plaintiff's second amended complaint.

32. TWP denies all factual allegations in paragraph 32 of the plaintiff's second amended complaint.

33. TWP denies all factual allegations in paragraph 33 of the plaintiff's second amended complaint.
34. TWP denies all factual allegations in paragraph 34 of the plaintiff's second amended complaint.
35. TWP admits the Lee statue was relevant to the decision to rally in Charlottesville and denies all other factual allegations in paragraph 35 of the plaintiff's second amended complaint.
36. TWP admits the Lee statue issue was relevant to UTR and denies all other factual allegations in paragraph 36 of the plaintiff's second amended complaint.
37. TWP denies all factual allegations in paragraph 37 of the plaintiff's second amended complaint.
38. TWP admits "blood and soil" was part of Hitler's "German nationalist" philosophy, admits it was present at the May 2017 event, and denies all other factual allegations in paragraph 38 of the plaintiff's second amended complaint.
39. TWP denies all factual allegations in paragraph 39 of the plaintiff's second amended complaint.
40. TWP denies all factual allegations in paragraph 40 of the plaintiff's second amended complaint.
41. TWP denies all factual allegations in paragraph 41 of the plaintiff's second amended complaint.

42. TWP admits said event is sometimes called “Charlottesville 1.0” and denies all other factual allegations in paragraph 42 of the plaintiff’s second amended complaint.
43. TWP admits lawful planning for UTR began sometime after May 13, 2017 and denies all other factual allegations in paragraph 43 of the plaintiff’s second amended complaint.
44. TWP denies all factual allegations in paragraph 44 of the plaintiff’s second amended complaint.
45. TWP denies all factual allegations in paragraph 45 of the plaintiff’s second amended complaint.
46. TWP denies all factual allegations in paragraph 46 of the plaintiff’s second amended complaint.
47. TWP denies all factual allegations in paragraph 47 of the plaintiff’s second amended complaint.
48. TWP denies all factual allegations in paragraph 48 of the plaintiff’s second amended complaint.
49. TWP denies all factual allegations in paragraph 49 of the plaintiff’s second amended complaint.
50. TWP denies all factual allegations in paragraph 50 of the plaintiff’s second amended complaint.
51. TWP denies all factual allegations in paragraph 51 of the plaintiff’s second amended complaint.

52. TWP denies all factual allegations in paragraph 52 of the plaintiff's second amended complaint.
53. TWP denies all factual allegations in paragraph 53 of the plaintiff's second amended complaint.
54. TWP denies all factual allegations in paragraph 54 of the plaintiff's second amended complaint.
55. TWP admits it lawfully communicated about UTR on Discord prior to August 12, 2017, admits the description of Discord alleged is generally accurate, and denies all other factual allegations in paragraph 55 of the plaintiff's second amended complaint.
56. TWP denies all factual allegations in paragraph 56 of the plaintiff's second amended complaint except it is admitted that the Charlottesville 2.0 server was "established" on or about the time alleged.
57. TWP denies all factual allegations in paragraph 57 of the plaintiff's second amended complaint.
58. TWP denies all factual allegations in paragraph 58 of the plaintiff's second amended complaint.
59. TWP admits leadership meetings occurred but states it withdrew from and ceased attending said meetings well prior to UTR and ignored any "Orders" or other communications from alleged rally organizers thereafter. TWP denies all other factual allegations in paragraph 59 of the plaintiff's second amended complaint.
60. TWP admits other channels existed but denies all other factual allegations in paragraph 60 of the plaintiff's second amended complaint.



61. TWP admits the questions for coordinators “channel” existed but denies it used or was involved with said channel and denies all other factual allegations in paragraph 61 of the plaintiff’s second amended complaint.
62. TWP admits it had a channel as alleged but denies all other factual allegations in paragraph 62 of the plaintiff’s second amended complaint.
63. TWP admits Disocrd was used for lawful UTR organizing and denies all other factual allegations in paragraph 63 of the plaintiff’s second amended complaint.
64. TWP denies all factual allegations in paragraph 64 of the plaintiff’s second amended complaint.
65. TWP denies all factual allegations in paragraph 65 of the plaintiff’s second amended complaint.
66. TWP denies all factual allegations in paragraph 66 of the plaintiff’s second amended complaint.
67. TWP denies all factual allegations in paragraph 67 of the plaintiff’s second amended complaint.
68. TWP denies all factual allegations in paragraph 68 of the plaintiff’s second amended complaint.
69. TWP admits only the specific and explicitly stated factual allegations in paragraph 69 of the plaintiff’s second amended complaint.
70. TWP denies all factual allegations in paragraph 70 of the plaintiff’s second amended complaint.
71. TWP denies all factual allegations in paragraph 71 of the plaintiff’s second amended complaint.

72. TWP denies all factual allegations in paragraph 72 of the plaintiff's second amended complaint.

73. TWP denies all factual allegations in paragraph 73 of the plaintiff's second amended complaint.

74. TWP denies all factual allegations in paragraph 74 of the plaintiff's second amended complaint.

75. TWP denies all factual allegations in paragraph 75 of the plaintiff's second amended complaint.

76. TWP denies all factual allegations in paragraph 76 of the plaintiff's second amended complaint.

77. TWP denies all factual allegations in paragraph 77 of the plaintiff's second amended complaint.

78. TWP denies all factual allegations in paragraph 78 of the plaintiff's second amended complaint.

79. TWP denies all factual allegations in paragraph 79 of the plaintiff's second amended complaint.

80. TWP denies all factual allegations in paragraph 80 of the plaintiff's second amended complaint.

81. TWP denies all factual allegations in paragraph 81 of the plaintiff's second amended complaint except it admits it told members, lawfully, to wear the same uniform they always wore to public events.

82. TWP denies all factual allegations in paragraph 82 of the plaintiff's second amended complaint.

83. TWP denies all factual allegations in paragraph 83 of the plaintiff's second amended complaint.

84. TWP denies all factual allegations in paragraph 84 of the plaintiff's second amended complaint.

85. TWP denies all factual allegations in paragraph 85 of the plaintiff's second amended complaint.

86. TWP denies all factual allegations in paragraph 86 of the plaintiff's second amended complaint.

87. TWP admits it made reasonable and legal efforts to understand the requirements of local laws for legal purposes and denies all other factual allegations in paragraph 87 of the plaintiff's second amended complaint.

88. TWP denies all factual allegations in paragraph 88 of the plaintiff's second amended complaint.

89. TWP denies all factual allegations in paragraph 89 of the plaintiff's second amended complaint.

90. TWP denies all factual allegations in paragraph 90 of the plaintiff's second amended complaint.

91. TWP denies all factual allegations in paragraph 91 of the plaintiff's second amended complaint.

92. TWP states the image speaks for itself.

93. TWP denies all factual allegations in paragraph 93 of the plaintiff's second amended complaint.

94. TWP denies all factual allegations in paragraph 94 of the plaintiff's second amended complaint.
95. TWP denies all factual allegations in paragraph 95 of the plaintiff's second amended complaint.
96. TWP denies all factual allegations in paragraph 96 of the plaintiff's second amended complaint.
97. TWP denies all factual allegations in paragraph 97 of the plaintiff's second amended complaint.
98. TWP denies all factual allegations in paragraph 98 of the plaintiff's second amended complaint.
99. TWP denies all factual allegations in paragraph 99 of the plaintiff's second amended complaint.
100. TWP denies all factual allegations in paragraph 100 of the plaintiff's second amended complaint.
101. TWP denies all factual allegations in paragraph 101 of the plaintiff's second amended complaint.
102. TWP denies all factual allegations in paragraph 102 of the plaintiff's second amended complaint.
103. TWP denies all factual allegations in paragraph 103 of the plaintiff's second amended complaint.
104. TWP denies all factual allegations in paragraph 104 of the plaintiff's second amended complaint.
105. TWP admits its members gathered prior to proceeding to the park so they

- could march together to the park and denies all other factual allegations in paragraph 105 of the plaintiff's second amended complaint.
106. TWP denies all factual allegations in paragraph 106 of the plaintiff's second amended complaint.
107. TWP denies all factual allegations in paragraph 107 of the plaintiff's second amended complaint.
108. TWP admits an unlawful assembly was declared at some point, avers the Virginia statute speaks for itself, and denies all other factual allegations in paragraph 108 of the plaintiff's second amended complaint.
109. TWP admits a state of emergency was declared by McAuliffe at some point and denies all other factual allegations in paragraph 109 of the plaintiff's second amended complaint.
110. TWP denies all factual allegations in paragraph 110 of the plaintiff's second amended complaint.
111. TWP denies all factual allegations in paragraph 111 of the plaintiff's second amended complaint.
112. TWP denies all factual allegations in paragraph 112 of the plaintiff's second amended complaint.
113. TWP denies all factual allegations in paragraph 113 of the plaintiff's second amended complaint.
114. TWP denies all factual allegations in paragraph 114 of the plaintiff's second amended complaint.
115. TWP denies all factual allegations in paragraph 115 of the plaintiff's second

- amended complaint.
116. TWP denies all factual allegations in paragraph 116 of the plaintiff's second amended complaint.
  117. TWP denies all factual allegations in paragraph 117 of the plaintiff's second amended complaint.
  118. TWP admits Fields criminally drove his car as alleged and denies all other factual allegations in paragraph 118 of the plaintiff's second amended complaint.
  119. TWP denies all factual allegations in paragraph 119 of the plaintiff's second amended complaint.
  120. TWP denies all factual allegations in paragraph 120 of the plaintiff's second amended complaint.
  121. TWP denies all factual allegations in paragraph 121 of the plaintiff's second amended complaint.
  122. TWP denies all factual allegations in paragraph 122 of the plaintiff's second amended complaint.
  123. TWP denies all factual allegations in paragraph 123 of the plaintiff's second amended complaint.
  124. TWP denies all factual allegations in paragraph 124 of the plaintiff's second amended complaint.
  125. TWP denies all factual allegations in paragraph 125 of the plaintiff's second amended complaint.
  126. TWP denies all factual allegations in paragraph 126 of the plaintiff's second

- amended complaint.
127. TWP denies all factual allegations in paragraph 127 of the plaintiff's second amended complaint.
128. TWP denies all factual allegations in paragraph 128 of the plaintiff's second amended complaint.
129. TWP admits an officer of TWP made the alleged comment but states the quote is taken out of context and denies all other factual allegations in paragraph 129 of the plaintiff's second amended complaint.
130. TWP denies all factual allegations in paragraph 130 of the plaintiff's second amended complaint.
131. TWP denies all factual allegations in paragraph 131 of the plaintiff's second amended complaint.
132. TWP denies all factual allegations in paragraph 132 of the plaintiff's second amended complaint.
133. TWP avers that statements of public officials speak for themselves and denies all other factual allegations in paragraph 133 of the plaintiff's second amended complaint.
134. TWP avers that actions of Congress speak for themselves and denies all other factual allegations in paragraph 134 of the plaintiff's second amended complaint.
135. TWP avers that actions of Congress speak for themselves and denies all other factual allegations in paragraph 135 of the plaintiff's second amended complaint.

136. TWP avers that documents signed by the president speak for themselves and denies all other factual allegations in paragraph 136 of the plaintiff's second amended complaint.
137. TWP denies all factual allegations in paragraph 137 of the plaintiff's second amended complaint.
138. TWP denies all factual allegations in paragraph 138 of the plaintiff's second amended complaint except it admits lawful event planning occurred.
139. TWP denies all factual allegations in paragraph 139 of the plaintiff's second amended complaint except it admits lawful event planning occurred.
140. TWP denies all factual allegations in paragraph 140 of the plaintiff's second amended complaint.
141. TWP denies all factual allegations in paragraph 141 of the plaintiff's second amended complaint.
142. TWP admits it lawfully coordinated its lawful participation, with some others, and denies all other factual allegations in paragraph 142 of the plaintiff's second amended complaint.
143. TWP denies all factual allegations in paragraph 143 of the plaintiff's second amended complaint.
144. TWP denies all factual allegations in paragraph 144 of the plaintiff's second amended complaint.
145. TWP denies all factual allegations in paragraph 145 of the plaintiff's second amended complaint.
146. TWP denies all factual allegations in paragraph 146 of the plaintiff's second



amended complaint.

147. TWP denies all factual allegations in paragraph 147 of the plaintiff's second amended complaint.

148. TWP denies all factual allegations in paragraph 148 of the plaintiff's second amended complaint.

149. TWP denies all factual allegations in paragraph 149 of the plaintiff's second amended complaint.

150. TWP denies all factual allegations in paragraph 150 of the plaintiff's second amended complaint.

151. TWP denies all factual allegations in paragraph 151 of the plaintiff's second amended complaint.

152. TWP denies all factual allegations in paragraph 152 of the plaintiff's second amended complaint.

153. TWP denies all factual allegations in paragraph 153 of the plaintiff's second amended complaint.

154. TWP denies all factual allegations in paragraph 154 of the plaintiff's second amended complaint.

155. TWP denies all factual allegations in paragraph 155 of the plaintiff's second amended complaint.

156. TWP denies all factual allegations in paragraph 156 of the plaintiff's second amended complaint.

157. TWP denies all factual allegations in paragraph 157 of the plaintiff's second amended complaint.

158. TWP denies all factual allegations in paragraph 158 of the plaintiff's second amended complaint.
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161. TWP denies all factual allegations in paragraph 161 of the plaintiff's second amended complaint.
162. TWP denies all factual allegations in paragraph 162 of the plaintiff's second amended complaint.
163. TWP denies all factual allegations in paragraph 163 of the plaintiff's second amended complaint.
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166. TWP denies all factual allegations in paragraph 166 of the plaintiff's second amended complaint.
167. TWP denies all factual allegations in paragraph 167 of the plaintiff's second amended complaint.
168. TWP denies all factual allegations in paragraph 168 of the plaintiff's second amended complaint.
169. TWP denies all factual allegations in paragraph 169 of the plaintiff's second

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170. TWP denies all factual allegations in paragraph 170 of the plaintiff's second amended complaint.
171. TWP denies all factual allegations in paragraph 171 of the plaintiff's second amended complaint.
172. TWP denies all factual allegations in paragraph 172 of the plaintiff's second amended complaint.
173. TWP denies all factual allegations in paragraph 173 of the plaintiff's second amended complaint.
174. TWP denies all factual allegations in paragraph 174 of the plaintiff's second amended complaint.
175. TWP denies all factual allegations in paragraph 175 of the plaintiff's second amended complaint.
176. TWP denies all factual allegations in paragraph 176 of the plaintiff's second amended complaint.
177. TWP denies all factual allegations in paragraph 177 of the plaintiff's second amended complaint.
178. TWP denies all factual allegations in paragraph 178 of the plaintiff's second amended complaint.
179. TWP restates its answers to all prior paragraphs as if fully re-written herein.
180. TWP denies all factual allegations in paragraph 180 of the plaintiff's second amended complaint.
181. TWP denies all factual allegations in paragraph 181 of the plaintiff's second

- amended complaint.
182. TWP denies all factual allegations in paragraph 182 of the plaintiff's second amended complaint.
183. TWP denies all factual allegations in paragraph 183 of the plaintiff's second amended complaint.
184. TWP denies all factual allegations in paragraph 184 of the plaintiff's second amended complaint.
185. TWP denies all factual allegations in paragraph 185 of the plaintiff's second amended complaint.
186. TWP denies all factual allegations in paragraph 186 of the plaintiff's second amended complaint.
187. TWP denies all factual allegations in paragraph 187 of the plaintiff's second amended complaint.
188. TWP restates its answers to all prior paragraphs as if fully re-written herein.
189. TWP denies all factual allegations in paragraph 189 of the plaintiff's second amended complaint.
190. TWP denies all factual allegations in paragraph 190 of the plaintiff's second amended complaint.
191. TWP denies all factual allegations in paragraph 191 of the plaintiff's second amended complaint.
192. TWP denies all factual allegations in paragraph 192 of the plaintiff's second amended complaint.
193. TWP denies all factual allegations in paragraph 193 of the plaintiff's second

- amended complaint.
194. TWP restates its answers to all prior paragraphs as if fully re-written herein.
195. TWP denies all factual allegations in paragraph 195 of the plaintiff's second amended complaint.
196. TWP denies all factual allegations in paragraph 196 of the plaintiff's second amended complaint.
197. TWP denies all factual allegations in paragraph 197 of the plaintiff's second amended complaint.
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200. TWP denies all factual allegations in paragraph 200 of the plaintiff's second amended complaint.
201. TWP denies all factual allegations in paragraph 201 of the plaintiff's second amended complaint.
202. TWP denies all factual allegations in paragraph 202 of the plaintiff's second amended complaint.
203. TWP denies all factual allegations in paragraph 203 of the plaintiff's second amended complaint.
204. TWP restates its answers to all prior paragraphs as if fully re-written herein.
205. TWP denies all factual allegations in paragraph 205 of the plaintiff's second amended complaint.

206. TWP denies all factual allegations in paragraph 206 of the plaintiff's second amended complaint.
207. TWP denies all factual allegations in paragraph 207 of the plaintiff's second amended complaint.
208. TWP denies all factual allegations in paragraph 208 of the plaintiff's second amended complaint.
209. TWP denies all factual allegations in paragraph 209 of the plaintiff's second amended complaint.
210. TWP denies all factual allegations in paragraph 210 of the plaintiff's second amended complaint.
211. TWP denies all factual allegations in paragraph 211 of the plaintiff's second amended complaint.
212. TWP denies all factual allegations in paragraph 212 of the plaintiff's second amended complaint.
213. TWP denies all factual allegations in paragraph 213 of the plaintiff's second amended complaint.
214. TWP restates its answers to all prior paragraphs as if fully re-written herein.
215. TWP denies all factual allegations in paragraph 215 of the plaintiff's second amended complaint.
216. TWP denies all factual allegations in paragraph 216 of the plaintiff's second amended complaint.
217. TWP denies all factual allegations in paragraph 217 of the plaintiff's second amended complaint.

218. TWP denies all factual allegations in paragraph 218 of the plaintiff's second amended complaint.
219. TWP denies all factual allegations in paragraph 219 of the plaintiff's second amended complaint.
220. TWP denies all factual allegations in paragraph 220 of the plaintiff's second amended complaint.
221. TWP denies all factual allegations in paragraph 221 of the plaintiff's second amended complaint.
222. TWP denies all factual allegations in paragraph 222 of the plaintiff's second amended complaint.
223. TWP restates its answers to all prior paragraphs as if fully re-written herein.
224. TWP denies all factual allegations in paragraph 224 of the plaintiff's second amended complaint.
225. TWP denies all factual allegations in paragraph 225 of the plaintiff's second amended complaint.
226. TWP denies all factual allegations in paragraph 226 of the plaintiff's second amended complaint.
227. TWP restates its answers to all prior paragraphs as if fully re-written herein.
228. TWP denies all factual allegations in paragraph 228 of the plaintiff's second amended complaint.
229. TWP denies all factual allegations in paragraph 229 of the plaintiff's second amended complaint.
230. TWP denies all factual allegations in paragraph 230 of the plaintiff's second

amended complaint.

231. TWP denies all factual allegations in paragraph 231 of the plaintiff's second amended complaint.

232. TWP denies all factual allegations in paragraph 232 of the plaintiff's second amended complaint.

233. TWP denies all factual allegations in paragraph 233 of the plaintiff's second amended complaint.

234. TWP denies all factual allegations in paragraph 234 of the plaintiff's second amended complaint.

#### ADDITIONAL DEFENSES

235. Assumption of the Risk: in that Plaintiff assumed and unreasonably disregarded the risk his actions would result in his own personal injury.

236. Contributory Negligence: in that Plaintiffs actions were partly or wholly the cause of his claimed injuries.

237. Duress: In that Defendants claimed actions were taken in self defense while defendants were being unlawfully assaulted or otherwise mistreated.

238. Illegality: In that Plaintiff's actions were unlawful and Plaintiff's misconduct is itself the proximate cause of his injuries;

239. Anything not specifically and explicitly admitted as true in this answer is denied. TWP denies all factual or legal allegations or any other assertion whatsoever not specifically and explicitly admitted in this Answer.

240. Defendants give notice that they are reserving the right to assert additional defenses as such become known to them.



**WHEREFORE**, having fully answered the Plaintiff's Amended Complaint, TWP request the Court dismiss this action with prejudice.

Respectfully Submitted,

s/ James E. Kolenich

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*Attorney for TWP*

**CERTIFICATE OF SERVICE**

A true copy of the foregoing was served via the Court's CM/ECF system on November 4, 2020 as listed below:

*All parties of record*

No party requires or has requested service by other means

s/ James E. Kolenich

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James E. Kolenich (OH #77084)